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U.S. Department  
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**National Highway  
Traffic Safety  
Administration**

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# Memorandum

Subject: Ex Parte Meeting with NATM

Date: APR 24 2003

From: Jonathan D. White, Chief  
Defects Assessment Division, ODI

Reply to  
Attn. of:

To:

NHTSA Docket No. 2001-8677 - 549

On April 1, 2003, representatives of the National Association of Trailer Manufacturers (NATM) met with certain Department of Transportation (DOT) representatives to discuss the NATM's petition to for reconsideration of the early warning reporting requirements with respect to trailers with a gross vehicle weight rating of 26,000 pounds or less.

The following NATM representatives were present: Kim Mann, Norm Helmke, Jim Callaway, Karen Nussle, and Victor Cook.

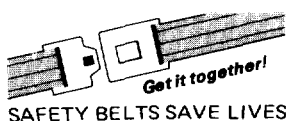
Representing the DOT were: Kenneth Weinstein, Kathleen DeMeter, Taylor Vinson, Jon White, Rusty Orben, and Robert Squire.

NATM expressed concern that the burden, particularly the cost, of compliance with the requirements was excessive. NATM stated that NHTSA's own documentation indicated that the first year costs would exceed \$237,000 per large-volume trailer manufacturer.

Mr. Weinstein re-iterated the agency's belief that this cost was for large volume manufacturers with national and international distribution. For the smaller manufacturers, the cost of collecting and submitting information on a regional or national basis would be much lower. If a manufacturer produces relatively few vehicles, there are fewer, if any, incidents of death and injury, and few claims of property damage, consumer complaints, warranty, and field reports.

An apparent misinterpretation that did surface during the meeting was NATM's belief that consumer complaints would have to be recorded to meet early warning requirements. This is not correct. The TREAD Act specifically prohibits early warning implementing regulations from requiring manufacturers to maintain or submit information or records not in the possession of the manufacturer. Therefore, if a manufacturer does not record, transcribe, retain, or otherwise collect consumer complaints, contacts, conversations, letters, and similar communications, then there is no obligation to begin so under early warning regulation.

The meeting concluded with an understanding that the petition for reconsideration of the final rule was under review.



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